

## **ARTICLE 10**

### **RT - RESIDENTIAL TOWNHOUSE DISTRICT**

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**Legislative Intent.** This district is composed of certain medium concentrations of residential use, often located between lower density residential and commercial areas, plus certain open areas where similar development is appropriate based on the Comprehensive Plan. The regulations for this district are designed to stabilize and protect the residential character of the district, and to promote and encourage a suitable environment of medium to high density residential uses.

An alternative to the precise requirements of this district may be employed, known as the cluster alternate. The purpose of the cluster alternate is to provide a more creative and flexible approach to the use of land and to provide for the more efficient and economical provision of streets and utilities.

A density bonus system is offered in order to provide an incentive for improved design and provision of amenities. Whether or not the bonus is applied the basic principle of the cluster alternate is to permit a relative concentration of development on that portion of a tract best suited for development and to retain the remainder of the tract in permanent open space.

Requirements which apply to the cluster alternate which are different from those which apply to conventional development are so noted.

**10-1 Use Regulations.** A building may be erected, altered, or used, and a lot or premises may be used or occupied, for any of the following purposes and no other.

#### **10-1.1 Uses Permitted by Right:**

- Single-family detached dwelling units, subject to all R-10 requirements and regulations (Article 8).
- Two-family, three-family, and four-family dwelling units, maximum seven (7) units per gross acre.
- Townhouses, maximum seven (7) units per gross acre.
- Duplex units, subject to all townhouse requirements, being treated as two (2) attached end units.
- Triplexes.
- Quadriplexes.

- Playgrounds and recreation area, when developed as part of the townhouse development.
- Accessory buildings.
- Home occupations.
- Yard sale or garage sale for disposal of used household items, provided such sales are not held more frequently than once a year on the same lot, are not conducted for more than three (3) days, and include items assembled only from households of adjoining neighbors.
- Signs subject to Article 25.
- Off-street parking for permitted uses subject to Article 24.
- Open space subject to Article 23.
- Utilities related to and necessary for service within the Town, including poles, wires, transformers, telephone booths, and the like for electrical power distribution or communication service, and underground pipelines or conduits for local electrical, gas, sewer, or water service, but not those facilities listed as requiring a special use permit.

**10-1.2** Uses Permitted by Special Use Permit. The following uses will be permitted upon authorization of the Town Council subject to Article 4, Section 4-8.

- Cluster alternate - See Section 10-7 and 10-7.1 (Amended by Council 10-11-88).
- Townhouses, two-family or duplex units, cluster alternate, maximum ten (10) units per acre depending on density bonus granted.
- Child care center, day care center, or nursery school.
- Family care homes, foster homes, or group homes serving physically handicapped, mentally ill, mentally retarded, or other developmentally disabled persons.
- Schools.
- Churches and community buildings.
- Golf courses, swim, and tennis clubs.
- Hospitals and clinics.
- Nursing or convalescent homes.
- Home professional offices.
- Professional and business offices generally if immediately adjacent to a commercial zone.
- Libraries.

- Treatment plants, water storage tanks, major transmission lines or pipelines, pumping or regulator stations, communications towers, and cable television facilities and accessory buildings.
- Active and passive recreation and recreational facilities.

## 10-2 Density and Area Regulations

Use	Maximum Density <sup>1</sup>	Minimum Lot Size	Maximum Lot Coverage <sup>2</sup>
Single-Family	4.3	10,000	none
Single-Family: Cluster	7.3	6,000	65%
Two-Family; Three-Family; and Four-Family Bldg.'s	7	6,000 sq. ft. per unit	50%

Use	Maximum Density <sup>1</sup>	Minimum Lot Size	Maximum Lot Coverage <sup>2</sup>
Two-Family: Three-Family; and Four-Family, Cluster	10	none	75%
Duplex	7	2,000 sq. ft. per unit	50%
Duplex: Cluster	10	none	75%
Townhouse	7	2,000 sq. ft. per unit	50%

Triplex	7	2,000 sq. ft. per unit	50%
Quadriplex	7	2,000 sq. ft. per unit	50%
Townhouse: Cluster	10	none	75%
Other Uses	N/A	10,000	80%

1: Number of dwelling units per gross acre.

2: Includes all impervious surfaces.

The minimum area regulations may be modified by the Town Council in accordance with the provisions of

Section 4-8.2a. (Amended by Council 11/12/97)

**10-2.1** Maximum Grouping. No more than six (6) townhouses shall be grouped contiguous to each other.

**10-2.2** Minimum private open space

- Each lot or land area containing a townhouse, conventional, or cluster alternate shall provide a private yard at least three hundred (300) square feet in area and at least fifteen (15) feet in depth enclosed visually by fences, walls, or screen planting.

### 10-3 Setbacks

Use	Minimum Setback			Minimum Lot Width <sup>2</sup>
	Front <sup>1</sup>	Side	Rear	
Single-Family	25	10	20	75
Single-Family: Cluster	25	8	15	55
Use	Minimum Setback			Minimum Lot Width <sup>2</sup>
	Front <sup>1</sup>	Side	Rear	
Two-Family; Three-Family; Four-Family	25	15	25	70
Two-Family; Three-Family; Four-Family, Cluster	25	10	25	60
Duplex <sup>3</sup>	25	15	20	35
Duplex: Cluster <sup>3</sup>	25	10	20	30
Townhouse	25	20	25	20 for interior units 30 for end units
Triplex	25	20	25	20 for interior units 30 for end units
Quadriplex	25	20	25	20 for interior units 30 for end units
Townhouse, Cluster	25	20	25	none

Other Uses	25	15	20	none
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- 1: as measured from the street right-of-way.
- 2: as measured at the front setback.
- 3: dimensions are for each unit.

#### **10-4 Height Regulations**

Buildings may be erected up to thirty-five (35) feet in height except that:

- The height limit for dwellings may be increased up to forty-five (45) feet and up to three (3) stories provided that front, side, and rear yard setbacks increase one (1) foot for each additional foot of building height over thirty-five (35) feet.
- A public or semi-public building such as a school, church, or library may be erected to a height of sixty (60) feet from grade provided that required front, side, and rear yards shall be increased one (1) foot for each foot in height over thirty-five (35) feet.
- Church spires, belfries, cupolas, municipal water towers, chimneys, flues, flagpoles, and television antennae are exempt. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest.
- No accessory building which is within twenty (20) feet of any party lot line shall be more than fifteen (15) feet high. All accessory buildings shall be less than the main building in height.

#### **10-5 Special Provisions for Corner Lots**

- Of the two (2) sides of a corner lot the front lot line shall be deemed to be the shortest of the two (2) sides fronting on streets.
- The side yard setback adjacent to the side street shall be in conformity with the minimum front yard setback.
- The lot width along the side street shall be in conformity with the minimum lot width requirements for the respective use.

#### **10-6 Special Provision for Accessory Structures**

- Accessory structure aggregate area shall not exceed thirty-five (35) percent of the area of the rear yard.
- Accessory buildings shall not be located closer than five (5) feet to any rear or side property line or within ten (10) feet of the main structure, except that an accessory building may be built on the property line as a party wall, provided the applicant files with the Zoning Administrator, the written consent of the owners of the adjoining properties, and the exterior walls are of masonry construction. Provision must be made for disposal of roof water onto the subject property or to the nearest storm sewer.
- Attached carports, garages, or other attached accessory buildings and structures shall be subject to same setback as the main structure.
- Open fire escapes of noncombustible material may project into side or rear yards by not more than four (4) feet and be no closer to any property line than five (5) feet.
- Decks for Single-family Attached (i.e. Townhouses, Duplexes, Triplexes, and Quadriplexes) and Multi-family dwelling units, specifically excluding single-family detached dwelling units, may project beyond the established main structure side and rear setback line, to be located no closer than six (6) feet from the rear property line and no closer than five (5) feet from the side property line for end units and no closer than one (1) foot from the side property line for interior units.

## **10-7 Cluster Development Alternate, Qualifying Procedure, and Open Space Requirements**

The cluster development alternate may be permitted by special use permit subject to all provisions of Section 4-8 Special Use Permits, as well as Section 4-9 Sketch Plan Requirements. In addition, documentation shall be provided to demonstrate that the land to be developed is under one (1) ownership or control, or in the case of several owners, that agreement has been reached that the tract shall be developed under single direction and in the manner set forth.

### **10-7.1 Open Space Requirements**

A minimum of thirty-five (35) percent of the subject tract shall be designated as permanent common open space, in accord with the provisions of Article 23. Such

land may include parks, woodlands, steep slope, flood plain, bodies of water, or any natural feature appropriate for preservation; however, no more than thirty (30) percent of the required open space shall consist of bodies of water. Private recreational activities such as swimming pools and tennis courts, the use of which is limited to the occupants of the subject development, may be included as part of the required open space, as may those bona fide historic buildings, structures, or sites designated on the Virginia Landmarks Register.

The land area to be set aside for common open space shall be so located and shaped as to have a logical and mutually beneficial relationship to additional open space in adjacent tracts, whenever practical and feasible.

All land in or encompassed by a development within this District which is a part of the same tract and is not required open space and is not actually used or planned for development shall be maintained as open space to be enjoyed by the residents, either under the provisions of Article 23 or it may be simply maintained by the developer and/or management in the case of rental properties, on either a temporary or permanent basis.



## 10-8 Density Bonus - Cluster Alternate

The number of townhouse dwelling units permitted may be increased in accordance with the following schedule up to a maximum total increase of forty-three (43) percent (not to exceed ten (10) dwelling units per gross acre) if the Planning Commission finds that the character of the development and the amenities incorporated in the development warrant such increases and provided said increases are approved by the Town Council as a part of cluster alternate approval. Percentages of increase are to be applied separately and treated as additive, not compounded. It shall be the responsibility of the applicant to explain the design elements believed to justify approval of density increase.

Maximum  
Percentage  
Increase

Design Element

2% For each five (5) percent of the net development area (up to thirty (30) percent) devoted to usable common open space improved for active recreational use. (Net development area is gross project area less public streets.)

Maximum  
Percentage  
Increase

Design Element

1% For each five (5) percent of net development area over thirty-five (35) percent (up to a total bonus of twenty (20) percent) devoted to unimproved common open space.

5% Special care in use of existing topography and land features and/or land recontouring.

5% Preservation of historic buildings and their setting.

5% Design for minimizing the adverse impact of moving and parked cars on the development and its surroundings by means of interior or screened parking, interrupted parking bays, skillful use of topography, screening and other design features.

5% Siting of buildings and building groupings to include variety, privacy, and compatibility with nearby development, existing or future.

- 2% Provision in design for courtyards, gardens, and patios.
- 3% Design for convenient and attractive pedestrian ways.
- 5% Quality and amount of tree and shrub planting, including peripheral and interior screen planting and fencing, landscaping in parking lots, and use of existing trees in the landscape plan.
- 4% Lakes and water features which make a significant contribution to the design of the development.
- 2% Use of sculpture, fountains, reflecting pools, and similar features in design.
- 15% Major recreational facilities, not to exceed five (5) percent for swimming pools, five (5) percent for tennis courts, and five (5) percent for community center building or club.

The Planning Commission may recommend and the Town Council may permit increases in number of dwelling units comparable to the schedule above and in appropriate cases for dedication of public buildings where such sites are located in accordance with the Comprehensive Plan.

## **10-9 Lighting**

Lighting facilities shall be arranged in a manner which will protect the highway and neighboring properties from direct glare or hazardous interference. Lighting facilities shall be required along private and public streets and within parking areas, installed at the developer's expense.

## **10-10 Recreational Facilities**

Townhouse developments of thirty-five (35) dwelling units or more shall provide improved recreational space for the private use of townhouse residents.

**10-10.1** The amount of required recreational space and facilities for townhouse developments shall be computed according to the occupancy figures provided below. Occupancy figures will be computed for the total number of dwelling units in the development:

One Bedroom: 2 adults

Three Bedroom: 2 adults and 2 children

Two Bedroom: 2 adults and 1 child

Four Bedrooms: 2 adults and 3 children

**10-10.2** Based upon the number of occupants computed above, each of the following three (3) types of activity space shall be provided, in the amounts determined by the following schedule:

- Child Use Space. Twenty (20) square feet for each child.
- Mixed Use Space. Twenty-five (25) square feet for each child and adult.
- Adult Space. One hundred (100) square feet for each adult.

**10-10.3** Required activity space shall be occupied by the following types of facilities. All playground equipment shall meet commercial grade playground standards for intensive or extended use.

- Child Use Space: Tot lot, intermediate playground, nursery day care, or similar facility.
- Mixed Use Space: Swimming pool, handball or racquetball court, tennis courts, basketball courts, meeting and activity rooms, volleyball court, or similar facility.
- Adult Space: Health club, weight room or gymnasium, terrace or landscaped passive recreation area, or other similar facility.

Mixed use spaces may be substituted for child use spaces if, in the opinion of the Planning Director and Planning Commission, they are more appropriate for the development in question.

The nature and proportion of recreational spaces and facilities may be altered if, in the opinion of the Planning Director and Planning Commission, an alternative proposal is presented and considered more appropriate for the development in question.

**10-10.4** For townhouse developments of fifty (50) units or more, at least twenty-five (25) percent of the total required recreation space will be provided indoors so as to be usable year round.

**10-10.5** The following general design standards shall apply to required activity spaces:

- Required activity spaces shall be located in such a fashion as to be accessible by foot by all residents, using either sidewalks or paths within common open space, or a combination thereof, that eliminates the necessity of traveling within roadways or travel lanes to gain access to such areas.
- Activity spaces for children shall be designed and placed to facilitate visibility from adjacent dwelling units, roadways, travel lanes, sidewalks, or adjacent common areas. Shade trees should be provided but shrubbery or fence materials that provide an opaque screen adjacent to the activity area are not appropriate. Benches or seats should be provided for use by parents.
- Activity areas for children located within fifty (50) feet of a travel lane, or within seventy-five (75) feet of a two (2) lane public roadway or one (1) with a posted speed limit of thirty-five (35) miles per hour or less, or within one hundred (100) feet of a roadway greater than two (2) lanes or with a posted speed limit of greater than thirty-five (35) miles per hour, should be fenced to discourage the movement of children towards the roadway or travel lane.